

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CR. NO. 00CR00056-006 (HL)

TEDDY RIVERO-VELEZ

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**MOTION NOTIFYING VIOLATIONS OF
SUPERVISED RELEASE CONDITIONS AND THE REQUEST
FOR THE ISSUANCE OF A SUMMONS**

**TO THE HON. HECTOR M. LAFFITTE
SENIOR UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, MIRIAM FIGUEROA, UNITED STATES PROBATION OFFICER of this Honorable Court, presenting an official report upon the conduct and attitude of the offender, Teddy Rivero-Vélez, who on the 16th day of April 2001, was sentenced to serve an imprisonment term of sixty-five (65) months, followed by a supervised release term of five (5) year for a violation of Title 21 United States Code, Sections 846. On August 1, 2005, Mr. Rivero-Vélez was released from custody, at which time he commenced the term of supervised release imposed. Besides the standard conditions of supervision, Mr. Rivero-Vélez was ordered to refrain from any unlawful use of controlled substances, submit to substance abuse testing and drug treatment if needed. In addition, the offender was ordered to provide financial disclosure upon request of the Probation Officer. A special assessment in the amount of \$100 was also imposed and the same was paid in full.

On October 5, 2006, offender's supervised release term was revoked and was sentenced to an imprisonment term of ten (10) months followed by a supervised release term of two (2) years. He was released from imprisonment on July 14, 2007 and placed at the Hogar Crea Halfway House for a period of six (6) months.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

1. SPECIAL CONDITION NO. 1 - "THE DEFENDANT SHALL PARTICIPATE IN THE COMMUNITY CORRECTIONS CENTER FOR A PERIOD OF SIX (6) MONTHS. THE DEFENDANT SHALL PAY THE COST OF HIS STAY AT SAID CENTER AS ESTABLISHED BY THE FEDERAL BUREAU OF PRISONS. THE DEFENDANT SHALL BE PLACED IN THE CORRECTIONAL COMPONENT OF SUBJECT CENTER, AND WILL BE ALLOWED TO LEAVE FOR EMPLOYMENT PURPOSES, TREATMENT AND/OR ATTEND CHURCH."

The offender was admitted to the Halfway House Community Correction Center located in Trujillo Alto, Puerto Rico, on July 12, 2007 for a period of six months. According to information received from the program director, Margaret Piñero, on November 14, 2007, the offender was terminated from the program since he incurred in the following :

On July 14, 2007, Mr. Rivero violated the allotted activity time during a community pass. During an initial shopping pass, he arrived 30 minutes late exceeding the allotted time.

On August 13, 2007, Mr. Rivero visited his home without authorization after an authorized activity, violating also the assigned curfew. Offender was authorized to visit the Police Department in Hato Rey, Puerto Rico in order to solicit his police certificate and instead of returning to the Center he went to his wife's home without authorization.

On September 5 and 9, 2007, offender did not comply with the required accountability call. He failed to call when leaving his job place as required prior to his arrival to the Center.

Additionally, on November 1, 2007, the offender used obscene language toward a staff member at the dormitory area during the day time. A center maintenance employee entered the offender's dorm area and turned on the light while offender was sleeping. The offender insulted the employee by using foul language after the employee explained he had to turn on the lights since he needed to make some repairs at the

restroom.

Lastly, on November 10, 2007, according to a violation report submitted by Ms. Edith Anguita, Case manager, Hogar Crea Halfway House, during a telephone communication with the Halfway House director, and in the presence of staff members and other inmates, Mr. Rivero in an insolent, antagonistic and disrespectful manner used obscene language toward Ms. Margaret Piñero. The offender with other inmates requested a pay per view event that was not authorized due to non-compliance with the required sanitary practices of the center. Mr. Rivero acted as spokesman during a conference call and proceeded to shout during the conversation with the program director by using foul language in presence of staff members and other inmates.

WHEREFORE, I declare under penalty of perjury that the above-mentioned is true and correct. In lieu of the aforementioned, unless ruled otherwise, it is respectfully requested that a summons be issued so that the offender may be brought before this Court to show cause why his supervised release term should not be revoked. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 16th day of November 2007.

Respectfully submitted,
EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Miriam Figueroa
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CERTIFICATE OF SERVICE

I HEREBY certify that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Rosa Emilia Rodríguez, United States Attorney and Frank Inserni, Esq., Defense Counsel.

At San Juan, Puerto Rico, November 16, 2007.

s/MiriamFigueroa
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